

REMARKS

Reconsideration of the Final Office Action of January 22, 2008 is respectfully requested. Accompanying this Amendment is a two month extension of time and requisite fee.

Applicant would like to thank Examiners Pilkington and Charles for the courtesies extended to the Applicant's representatives during the interview held on June 3, 2008.

As noted in the Interview Summary Record, claim 23, as presented in the last amendment, was acknowledged as being allowable. There was also a discussion as to how claims 1 and 28 could be amended to place them into immediate condition for allowance. For the reasons outlined below, it is respectfully submitted that the amended independent claims 1 and 28 have amendments in accord with that which was agreed upon in the interview and thus they and their dependents are respectfully submitted to be in immediate condition for allowance. For consistency, there can also be seen amendments to dependent claims 22 and 25 having language similar to that in independent claim 28 relative to the continually extending scroll surface.

In the Final Office Action claim 1 and claims 27 and 29 were rejected under 35 USC 112 as being considered as indefinite. As explained and agreed to during the interview, the language appearing in claims 1 and 27 and 29 are definite. That is, relative to the claim 1 language "a case defined portion of said scroll surface", it was noted that this was considered definite in that claim 1 expresses a scroll surface that is defined in part by the case and defined in part by the shroud wall. An example of this is seen in Figure 5 of the present application wherein the scroll surface, as represented by repeated reference to reference number 89 along the scroll surface's length, is shown extending along the shroud wall 90 and along the case 53. Hence, the claim 1 reference to the case defined portion of the scroll surface is considered to be a clear reference to that portion of the scroll surface defined by the case.

Also, as explained and agreed to during the interview, the reference to the shroud wall being positioned to completely cover over the outermost end of the fan blade was definite in the form presented in the claims 27 and 29. That is, just as a roof can completely cover over an underlying object without touching it, the shroud can completely cover over the outer end of a fan blade being covered without there having to be contact between the two components. Further, as a possible example of such an arrangement, reference was made to the Figure 4 illustration of the shroud wall 90 completely covering the outermost end of the fan blade shown adjacent thereto.

In view of the foregoing, it is respectfully submitted that claims 1 and 27 and 29 are definite and in conformance with 35 USC 112 and withdrawal of the rejection and the associated drawing objection is respectfully requested.

During the interview there was also a discussion by Applicant's representatives as to how the Ikenoya '677 (Ikenoya) reference was considered not to anticipate or render obvious the independent claims 1 and 23 and 28. That is, Ikenoya discloses an arrangement wherein there is defined distinct chambers A and B with a partitioning plate 41 partitioning those two chambers and having holes for receipt of the pulleys. It was further discussed that partitioning plate 41 extends in parallel with the pulley belt. In addition reference was made to the flow of cooling air through the various ports provided in the clutch and driven pulley region in going from chamber B to A and that the passage member 46 provided a bridge at the opposite drive pulley end to have the cooling air return from chamber A to B. The passage member 46, which provides for such a return flow transfer, was also described as being supported by foot portion 48 (Figures 9 and 10) that also extends in parallel fashion with the partitioning plate and functions as a support for the bridge channel section 49 that feeds into the radially extending channel region 50a which, in turn, extends down to the drive pulley shaft to provide for radial diffusion of the air back out from the center region of the driving pulley shaft. In addition, it was noted that the only discussion in Ikenoya as to the scroll surface 43 was in reference to the interior surface of the casing 40.

Accordingly, it was agreed during the interview that Ikenoya failed to disclose or suggest the laterally extending interior surface of the shroud wall feature appearing in current claim 1 and the previously presented claim 23. It was further agreed that Ikenoya failed to disclose or suggest the claimed arrangement of current claim 28 which includes reference to the shroud wall interior surface and the corresponding scroll wall defining portion of the case extending in continuous fashion as to avoid an abrupt and highly flow disruptive break in a generally smooth flow pattern provided by the scroll surface.

Accordingly, Applicants respectfully submit that independent claims 1, 23 and 28 and all remaining dependents are in immediate condition for allowance. Also, in view of the above remarks, Applicant respectfully submits that all rejections/objections raised in the Office Action are overcome such that the application is in condition for allowance. Applicant looks forward to confirmation of the same at the Examiner's earliest convenience. Also, if any fees are due in connection with the filing of this amendment, such as fees under 37 C.F.R. §§1.16 or 1.17, please charge the fees to Deposit Account 02-4300; Order No. 032405R172.

Respectfully submitted,
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s/Dennis Rodgers/

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